

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BEN GOODEN	:	CIVIL ACTION
	:	
v.	:	No. 15-2176
	:	
BRIAN THOMPSON, et al.	:	

**ORDER**

AND NOW, this 16th day of February, 2016, upon careful and independent consideration of Petitioner Ben Gooden's pro se Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody, and after review of the Report and Recommendation of United States Magistrate Judge Thomas J. Rueter, to which no objections have been filed,<sup>1</sup> it is ORDERED:

1. The Report and Recommendation (Document 13) is APPROVED and ADOPTED;
2. Gooden's Petition for Writ of Habeas Corpus (Document 1) is DISMISSED;
3. There is no probable cause to issue a certificate of appealability; and
4. The Clerk of Court shall mark this case CLOSED.

BY THE COURT:

/s/ Juan R. Sánchez  
Juan R. Sánchez, J.

---

<sup>1</sup> The Report and Recommendation was sent to all parties of record on October 9, 2015, together with a Notice from the Clerk of Court advising the parties of their obligation to file any objections within 14 days after service of the Notice. *See* Local R. Civ. P. 72.1 IV(b) ("Any party may object to a magistrate judge's proposed findings, recommendations or report under 28 U.S.C. § 636(b)(1)(B) . . . within fourteen (14) days after being served with a copy thereof."). No objections have been filed to date.